

**State of California
FISH AND GAME COMMISSION
(916) 653-4899
<http://www.fgc.ca.gov>**

**Meeting of
August 3, 2006 (Thursday)
10:00 a.m.**

**California State Building 9
First Floor Auditorium
744 P Street
Sacramento**

SUMMARY OF MEETING

1. PUBLIC FORUM

Amy Cloud stated that she had sent a letter to the Commission appealing the decision to not renew the Cloud's Warner Mountain Ranch PLM contract. She presented written material and discussed her appeal.

Deputy Director Sonke Mastrup responded that the PLM contract program is a land enrichment program drawn up between the Department and the landowner with attributes pertinent to individual ranches. He explained that the Clouds had a long history of contractual noncompliance with the Department, and that the Department had worked diligently to help the Clouds succeed and would continue to do so if the Clouds show substantiated attempts to meet the PLM requirements.

Jim Martin requested that the Commission add to its next agenda a discussion of the peer review of socio-economic impact study, provided by the fishermen. He also expressed concerns regarding public testimony procedures used at the August 2nd meeting.

Eric Mills discussed his concerns and provided an update on the African clawed frogs in at Golden Gate Park. He further indicated that in his opinion, none of the issues facing the Department could be resolved without the help of the wardens

Paul Weakland discussed his concerns regarding withering syndrome, and sea otter issues, and he requested the opening of abalone harvesting in several Bay Area counties.

Al Wright presented a resolution to Commissioner Kellogg, from the Wildlife Conservation Board, for his tenure on the Board and his continued resource stewardship.

2. PRESENTATION OF THE WARDEN OF THE YEAR AWARD TO THE DEPARTMENT'S TODD TOGNAZZINI, SAN LUIS OBISPO COUNTY AREA.

Warden Todd Tognazzini received the Warden of the Year award presented by Director Ryan Broddrick and also received a Resolution from the Commission.

3. PRESENTATION BY DREW BOHAN, EXECUTIVE POLICY OFFICER, CALIFORNIA OCEAN PROTECTION COUNCIL RE: DISCUSSION OF THEIR MPA MONITORING EFFORTS.

Received presentation from Mr. Drew Bohan; received public testimony.

4. DEPARTMENT UPDATE ON THE PELAGIC ORGANISM DECLINE IN THE SAN FRANCISCO ESTUARY.

Received update from the Department; received public testimony.

5. POSSIBLE ADOPTION OF COMMISSION POLICY, RE: COOPERATIVELY OPERATED REARING PROGRAMS FOR SALMON AND STEELEHEAD.

Commission adopted proposed amendments to the policy; received public testimony.

6. RECEIPT OF DEPARTMENT REPORT AND RECOMMENDATIONS ON ITS REVIEW OF THE FOLLOWING COMMISSION POLICIES:
 - (A) MANAGEMENT AND UTILIZATION OF FISH AND WILDLIFE ON FEDERAL LANDS.
 - (B) MANAGEMENT AND UTILIZATION OF FISH AND WILDLIFE ON PRIVATE LANDS.
 - (C) MULTIPLE USE OF LANDS ADMINISTERED BY THE DEPARTMENT OF FISH AND GAME.
 - (D) NAMING INSTALLATIONS.
 - (E) NATIONAL FORESTS.

Received the Department's "no change" recommendation; received public testimony.

OTHER

7. RECEIPT OF DEPARTMENT LEGISLATIVE REPORT AND POSSIBLE CONSIDERATION OF COMMISSION POSITIONS ON PROPOSED LEGISLATION.

Received report; received public testimony.

8. RECEIPT OF DEPARTMENT INFORMATIONAL ITEMS.
 - (A) UPDATE ON DEPARTMENT'S BUDGET.
 - (B) UPDATE ON DR. RICK STAUB'S REQUEST RE: CEQA REVIEW.
 - (C) UPDATE ON SALTON SEA.
 - (D) UPDATE ON REGULATIONS REGARDING TIMBER HARVEST PLANS AND COHO SALMON PURSUANT TO FISH AND GAME CODE SECTION 2112.

(E) OTHER.

Received reports, no public testimony.

9. RECEIPT OF COMMISSION INFORMATIONAL ITEMS.

(A) STAFF REPORTS.

I. WESTERN ASSOCIATION OF FISH AND WILDLIFE AGENCIES ANNUAL CONFERENCE.

Received report, no public testimony.

(B) UPDATE ON LIVE ANIMAL MARKET SPECIAL HEARINGS.

Received report and request to add to the Commission's August 24-25, 2006 agenda, the possibility of authorizing staff to publish notice of the Commission's intent to add turtles and frogs to the list of Restricted Species. Commission unanimously approved the request to add the item to its August 24-25, 2006 meeting; received public testimony.

(C) OTHER.

Staff announced that due to the possible lack of a quorum at the Commission's August 24-25, 2006 meeting, the regulatory items will be scheduled for possible Commission action on Thursday August 24, as opposed to Friday, August 25.

10. SUBCOMMITTEE REPORTS AND RECOMMENDATIONS.

(A) MARINE RESOURCES COMMITTEE.

(B) AL TAUCHER'S PRESERVING HUNTING AND SPORT FISHING OPPORTUNITIES ADVISORY COMMITTEE UPDATE.

(C) LEGISLATION SUBCOMMITTEE.

No reports; no public testimony.

11. RECEIPT OF FEDERAL AGENCIES INFORMATIONAL ITEMS.

Received report; received public testimony.

12. RECEIPT OF LEGAL COUNSEL INFORMATIONAL ITEMS.

Deputy Attorney General William Cunningham advised the Commissioners of elements of the Bagley-Keene Open Meeting Act; received public testimony.

13. NEW BUSINESS.

No new business.

FIELD TRIP: Time permitting, the Commission will have a field trip to Camino to visit a stream restoration site on private land. The field trip will commence immediately following the adjournment of the meeting. The public is invited to attend, but will have to provide its own transportation.

Cancelled.

EXECUTIVE SESSION
(NOT OPEN TO PUBLIC)

PURSUANT TO THE AUTHORITY OF GOVERNMENT CODE SECTION 11126(a)(1) AND (e)(1), AND SECTION 309 OF THE FISH AND GAME CODE, THE COMMISSION WILL MEET IN CLOSED EXECUTIVE SESSION. THE PURPOSE OF THIS EXECUTIVE SESSION IS TO CONSIDER:

A. PENDING LITIGATION TO WHICH THE COMMISSION IS A PARTY.

- I. SANFORD WINSTON, ET AL., vs. CALIFORNIA FISH AND GAME COMMISSION RE: SPOT PRAWN TRAWL.
- II. CENTER FOR BIOLOGICAL DIVERSITY vs. CALIFORNIA FISH AND GAME COMMISSION RE: TIGER SALAMANDER.
- III. CALIFORNIA FORESTRY ASSOCIATION, ET AL., vs. CALIFORNIA FISH AND GAME COMMISSION RE: COHO SALMON.
- IV. JACK MORICI vs. CALIFORNIA FISH AND GAME COMMISSION RE: COMMERCIAL FISHING LICENSE.
- V. BIG CREEK LUMBER COMPANY AND CENTRAL COAST FOREST ASSOC. vs. CALIFORNIA FISH AND GAME COMMISSION RE: SOUTH SAN FRANCISCO COHO LISTING.
- VI. LINDY O'LEARY vs. CALIFORNIA FISH AND GAME COMMISSION RE: R.R.S.A.C. AND R.R.S.S. PERMIT DENIALS.

B. POSSIBLE LITIGATION INVOLVING THE COMMISSION.

- I. NATURAL RESOURCES DEFENSE COUNCIL, ET AL., vs. CALIFORNIA FISH AND GAME COMMISSION RE: CALIFORNIA CONDORS EXPOSURE TO LEAD AMMUNITION.

C. STAFF PERFORMANCE AND COMPENSATION.

D. RECEIPT OF HEARING OFFICER RECOMMENDATIONS ON LICENSE AND PERMIT ITEMS AND ADOPTION OF COMMISSION FINDINGS FOR:

- I. JOSH FISHER, SOUTHERN ROCK CRAB TRAP PERMIT.
 - II. CARL WHEELER, HALIBUT BOTTOM TRAWL VESSEL PERMIT.
 - III. CHRIS EACOBELLIS, TRANSFERABLE LOBSTER OPERATOR PERMIT.
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Meeting of
August 4, 2006 (Friday)
8:30 a.m.

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SUMMARY OF MEETING

14. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION.

No action.

15. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED AMENDMENTS OF THE MIGRATORY GAME BIRD (WATERFOWL) REGULATIONS FOR 2006-2007. (Note: The adoption hearing is scheduled for August 25, 2006, in Santa Barbara.)

Received the Department's proposed amendments; received public testimony.

16. RECEIPT OF PUBLIC RECOMMENDATIONS AND REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF INTENT TO CONSIDER AMENDMENTS OF THE SPORT FISHING REGULATIONS FOR 2007-2009. (Note: The adoption hearing is scheduled for December 8, 2006, in Santa Monica.)

Received the Department's proposed amendments; received public testimony. Commission unanimously authorized staff to publish notice of its intent to amend sport fishing regulations.

17. REQUEST TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND THE RECREATIONAL GROUND FISH REGULATIONS FOR 2007-2008, AND DEPARTMENT UPDATE ON THE MANAGEMENT MEASURES ADOPTED BY THE PPMC AT ITS JUNE 11-16, 2006 MEETING. (Note: The discussion hearing is scheduled for August 25, 2006, in Santa Barbara.)

Received the Department's proposed amendments; received public testimony. Commission unanimously authorized staff to publish notice of its intent to amend recreational groundfish regulations for 2007-2008.

18. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED AMENDMENTS TO SECTIONS 163 AND 164, TITLE 14, CCR, RE: COMMERCIAL HERRING FISHERY AND HARVESTING OF HERRING EGGS ON KELP. (Note: The adoption hearing is scheduled for October 6, 2006, in San Diego.)

Received the Department's proposed amendments; received public testimony.

CONSENT CALENDAR

19. CONSIDERATION OF APPROVAL OF PRIVATE LANDS HABITAT ENHANCEMENT AND WILDLIFE AREA LICENSE (2006-2011) AND 2006-2007 MANAGEMENT PLAN FOR:

- (A) DEMERA RANCH, LAKE COUNTY
- (B) MASUT REDWOOD VALLEY RANCH, MENDOCINO COUNTY

Approved; no public testimony.

20. APPROVAL OF ANNUAL REPORT AND 2006-2007 PRIVATE LANDS HABITAT ENHANCEMENT AND WILDLIFE AREA PLANS FOR:

- (A) BASIN VIEW RANCH, MODOC COUNTY
- (B) BELL RANCH, TEHAMA COUNTY
- (C) DIAMONDBACK RANCH, TEHAMA COUNTY
- (D) HATHAWAY OAK RUN RANCH, SHASTA COUNTY
- (E) PRATHER RANCH, SISKIYOU COUNTY
- (F) ROSENDAHL RANCH, MODOC COUNTY
- (G) SANTA CATALINA ISLAND, LOS ANGELES COUNTY
- (H) SNOWSTORM RANCH, LASSEN COUNTY
- (I) SUMMER CAMP, MENDOCINO COUNTY

Approved; no public testimony.

21. PBM FARMS PRIVATE LANDS MANAGEMENT AGREEMENT, DEPARTMENT'S REQUEST TO CHANGE START DATE FROM SEPTEMBER 17, 2006 TO SEPTEMBER 16, 2006. (Note: This PLM contract was originally approved at the Commission's May 4, 2006, meeting in Kings Beach).

Approved; no public testimony.

OTHER

22. ANNOUNCEMENT OF FUTURE MEETINGS.